

# UNITED STATES BANKRUPTCY COURT DISTRICT OF HAWAII

## Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 7/15/10.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your Rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

### See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Max B. Aiona III  
P.O. Box 383213  
Waikoloa, HI 96738

Marie L. Aiona  
fka Te'o Nesheim  
P.O. Box 383213  
Waikoloa, HI 96738

Case Number:  
10-02154

Social Security/Taxpayer ID/Employer ID/Other Nos.:  
xxx-xx-9774  
xxx-xx-0179

Attorney for Debtor(s) (name and address):

Lisa M. Volquardsen  
Lisa M. Volquardsen, Esq, LLC  
75-5706 Hanama Place, Suite 102  
Kailua-Kona, HI 96740  
Telephone number: 808.329.3323

Bankruptcy Trustee (name and address):

David C. Farmer  
David C. Farmer Attorney at Law LLC  
P.O. Box 4379  
Honolulu, HI 96812-4379  
Telephone number: 808 222.3133

### Meeting of Creditors

Date: **August 30, 2010**

Time: **02:00 PM**

Location: **Hilo State Office Building, 75 Aupuni Street, 1st Floor, Hilo, HI 96720**

### Presumption of Abuse under 11 U.S.C. § 707(b)

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

### Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts: 10/29/10**

### Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

### Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

### Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

### Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

#### Address of the Bankruptcy Clerk's Office:

1132 Bishop Street  
Suite 250  
Honolulu, HI 96813  
Telephone number: (808) 522-8100

#### For the Court:

Clerk of the Bankruptcy Court:  
Michael B. Dowling

Hours Open: Monday – Friday 8:30 AM – 4:00 PM

Date: 7/15/10

## EXPLANATIONS

B9A (Official Form 9A) (12/09)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
<b>Legal Advice</b>	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	<p>The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline.</p> <p>A statement asserting that the debtor is ineligible to receive a discharge because 11 U.S.C. § 522(q)(1) may be applicable must be filed not later than the deadline to file a complaint objecting to discharge.</p>
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Trustee's Sale of Property Under \$2,500	Unless an objection is filed within 21 days after the date of this notice, the trustee may sell property of the estate without further notice or hearing if the property's aggregate gross value is less than \$2,500.
<b>Refer to Other Side for Important Deadlines and Notices</b>	

# CERTIFICATE OF NOTICE

District/off: 0975-1  
Case: 10-02154

User: joni  
Form ID: b9a

Page 1 of 1  
Total Noticed: 27

Date Rcvd: Jul 16, 2010

The following entities were noticed by first class mail on Jul 18, 2010.

db/jdb +Max B. Aiona, III, Marie L. Aiona, P.O. Box 383213, Waikoloa, HI 96738-3213  
aty +Lisa M. Volquardsen, Lisa M. Volquardsen, Esq, LLLC, 75-5706 Hanama Place, Suite 102,  
Kailua-Kona, HI 96740-1713  
1028086 +American Savings Bank, 1001 Bishop St, Honolulu, HI 96813-3429  
1028089 Clinic Medical Services Co., P O Box 92237, Cleveland, OH 44193-0003  
1028090 EMS System Hawaii, Department of Health, P O Box 269110, Sacramento, CA 95826-9110  
1028091 +First Hawaiian Bank, PO Box 3200, Honolulu, HI 96847-0001  
1028095 ++HSBC BANK, ATTN BANKRUPTCY DEPARTMENT, PO BOX 5213, CAROL STREAM IL 60197-5213  
(address filed with court: HSBC Bank, PO Box 52530, Carol Stream, IL 60196)  
1028093 +Hawaii Emergency Physicians, P.O. Box 1266, Kailua, HI 96734-1266  
1028094 +Hawaii State Library, 478 S King St, Honolulu, Hawaii 96813-2994  
1028096 +Kaiser Permanente, Patient Financial Services, 711 Kapiolani Blvd., Honolulu, HI 96813-5237  
1028097 Makana Kai at Wehilani, 3179 Koapaka Street, Honolulu, HI 96819  
1028098 Marvin S.C. Dang, A Limited Liability Law Company, P.O. Box 4109, Honolulu, HI 96812-4109  
1028099 +Medcah, Inc., P.O. Box 1187, Kailua, HI 96734-1187  
1028100 +Motooka Yamamoto & Revere, Attorneys at Law, 1000 Bishop Street Suite 801,  
Honolulu, HI 96813-4208  
1028101 +North Hawaii Community Hospital, 67-1125 Mamalahoa Hwy., Kamuela, HI 96743-8496  
1028102 Oceanic Time Warner Cable, P.O. Box 30050, Honolulu, HI 96820-0050  
1028103 +Sallie Mae, PO Box 9500, Wilkes Barre, PA 18773-9500  
1028105 +Victoria L. Kalman, Attorney/ Mediator, 75-165 Hualalai Road, Suite 201,  
Kailua-Kona, HI 96740-3722  
1028108 +WFDS/WDS, PO Box 1697, Winterville, NC 28590-1697  
1028106 Waikoloa Village Association, P O Box 30010, Honolulu, HI 96820-0010  
1028107 +Webbank/Dell Financial, 12234 N IH 35 Sb Bldg B, Austin, TX 78753-1705

The following entities were noticed by electronic transmission on Jul 16, 2010.

tr EDI: BDCFARMER.COM Jul 16 2010 20:48:00 David C. Farmer,  
David C. Farmer Attorney at Law LLLC, P.O. Box 4379, Honolulu, HI 96812-4379  
1028088 +EDI: BANKAMER.COM Jul 16 2010 20:48:00 Bank of America, PO Box 15026,  
Wilmington, DE 19850-5026  
1028087 +EDI: BANKAMER2.COM Jul 16 2010 20:48:00 Bank of America, PO Box 1598,  
Norfolk, VA 23501-1598  
1028092 +E-mail/Text: bankruptcy@hicommmfcu.com Hawaii Community FCU,  
73-5611 Olowalu St, Kailua Kona, HI 96740-2689  
1028104 +EDI: AFNIVZWIRE.COM Jul 16 2010 20:48:00 Verizon Wireless, P O Box 96088,  
Bellevue, WA 98009-8800  
1028109 +EDI: CITICORP.COM Jul 16 2010 20:48:00 Zales/CBSD, PO Box 6497,  
Sioux Falls, SD 57117-6497

TOTAL: 6

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 18, 2010

Signature:

